

## REMARKS

In view of the preceding amendments and the comments which follow, and pursuant to 37 C.F.R. § 1.111, reconsideration of the Official Action of September 22, 2004 is respectfully requested by Applicants.

### Summary

Claims 1, 2 and 6 have been amended. No new matter has been introduced as a result of this amendment. Claims 1 – 6 are pending following entry of the present amendment and remarks.

### Rejection under 35 U.S.C. § 102

The Examiner has rejected Claims 1 – 4 under 35 U.S.C. § 102 (b) as being anticipated by Suguro et al. (Sugoro) (U.S. Patent 6,150,984). Applicants respectfully traverse these rejections. Applicants have amended Claims 1, 2 and 6 to clarify the invention and remove any ambiguities that might have been the basis for these rejections.

The pending Claim 1 recites that a diversity antenna for a wireless local area network comprises a circularly-polarized antenna and a linearly-polarized antenna. Further, both antennas are connected to a diversity receiving circuit and one of the antennas is rotatably supported, and the other antenna is fixedly positioned in relation to a predetermined plane.

The Examiner states that Sugoro discloses the claimed structure. However, Sugoro discloses that a linearly-polarized (helical) antenna is positioned below the circularly-polarized antenna (MSA1) (see Column 3, Lines 53 – 56, and Figure 1 – 2). In addition, Sugoro discloses that the composite antenna (linearly-polarized and circularly-polarized) is sheathed with an antenna holder, and is configured so as to rotate around a rotary shaft (see column 4, lines 22 – 24, and Figures 3). Thus, both Sugoro's linear-polarized and circularly-polarized antennas are together rotatably supported. In contrast to the claimed feature which recites that the circularly-polarized antenna is rotatably supported whereas the linearly-polarized antenna is fixedly positioned in relation to a predetermined plane. Hence, Claim 1 is not anticipated by Sugoro and thus allowable, as well as dependent Claims 2 – 5.

Further, Applicants submit that Claim 6 is distinguishable from Sugoro in a similar manner to Claim 1. Hence, Claim 6 is not anticipated by Sugoro and thus allowable, as well as dependent Claim 7.

As such, Applicants respectfully request that the rejections of Claims 1 – 7 under 35 U.S.C. § 102 (b) be withdrawn.

### **Conclusion**

Applicants submit that this application is now in condition for allowance, and favorable reconsideration of this application in view of the above amendments and remarks is respectfully requested. If, there are additional fees due, Applicants request that this paper constitutes any necessary petition and authorizes the Commissioner to charge any underpayment, or credit any overpayment, to Deposit Account No. 23-1925.

If the examiner finds that there are any outstanding issues which may be resolved by a telephone interview, the Examiner is invited to contact the undersigned attorney at the below listed number.

Respectfully submitted,  
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